

## Part 28

### Use of Vehicles for Illegal Purposes

#### **76-10-2801 Vehicle compartment for contraband -- Penalties.**

- (1) As used in this section:
- (a)
    - (i) "Compartment" means any box, container, space, or enclosure:
      - (A) that is intended or designed to conceal, hide, or otherwise prevent the discovery of contraband; and
      - (B) that is within a vehicle or attached to a vehicle.
    - (ii) "Compartment" includes:
      - (A) false, altered, or modified fuel tanks;
      - (B) original factory equipment of a vehicle that is modified, altered, or changed to accommodate or contain contraband; and
      - (C) a box, container, space, or enclosure that is fabricated, made, created from, or added to the existing structure of a vehicle.
  - (b)
    - (i) "Contraband" means any property, item, or substance which is unlawful to produce or possess under state or federal law.
    - (ii) "Contraband" includes any cash or monetary instrument that is the proceeds of an unlawful activity under Subsection 76-10-1602(4).
  - (c) "Motor vehicle" has the same meaning as in Section 41-6a-102.
  - (d) "Semitrailer" has the same meaning as in Section 41-6a-102.
  - (e) "Trailer" has the same meaning as in Section 41-1a-102.
  - (f) "Vehicle" means a motor vehicle, a trailer, and a semitrailer.
- (2) It is a class A misdemeanor for a person to knowingly possess, use, or control a vehicle which has a compartment with the intent to store, conceal, or transport contraband in the compartment.
- (3) It is a third degree felony for a person to facilitate the storage, concealment, or transportation of contraband by:
- (a) designing, constructing, building, altering, or fabricating a compartment for a vehicle;
  - (b) installing or creating a compartment in a vehicle; or
  - (c) attaching a compartment to a vehicle.
- (4) The trier of fact may infer that a person intended to store, conceal, or transport contraband if the person possesses, uses, or controls a vehicle that has a compartment, and the compartment contains:
- (a) contraband; or
  - (b) evidence of prior storage, concealment, or transportation of contraband.

Enacted by Chapter 298, 2008 General Session